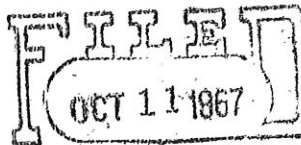


STATE OF INDIANA)
COUNTY OF HUNTINGTON) SS:

IN THE CIRCUIT COURT OF
HUNTINGTON COUNTY, INDIANA

STATE OF INDIANA,)
Plaintiff)
-vs-)
THE FIRST NATIONAL BANK)
IN HUNTINGTON,)
THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA,)
Defendants)

0430-89
CAUSE NO. 18056



FINDING AND JUDGMENT *W. J. Dillon*
Huntington Circuit Court

Comes now the plaintiff, State of Indiana, by John J. Dillon, Attorney General, and Richard G. Speelman, Deputy Attorney General, and come now the defendant, The First National Bank in Huntington, by its attorney of record herein, David Peters and plaintiff and said defendants now withdraw its request for a jury trial, and this cause is now submitted to the court upon the issues formed by the exceptions heretofore filed by the plaintiff and said defendant.

And the court being duly advised finds as follows:

1. That the plaintiff, State of Indiana, filed its complaint for the appropriation of an easement and temporary easement for highway right of way over defendant's real estate on the 1st day of June, 1966, and the defendant was properly served with notice as provided by statute prior to the hearing in this cause.

2. That on the 30th day of June, 1966, being the day set for the hearing of the cause, an order was entered upon the records of the Huntington Circuit Court, signed by Ray Ade, Judge, showing that an easement and temporary easement for highway right of way over the defendant's real estate was condemned for the uses and purposes described in said complaint.

3. That by said order the court also appointed three disinterested freeholders of Huntington County to assess the damages and benefits to the defendant caused by the appropriation.

4. That on the 15th day of July, 1966, said court-appointed appraisers returned their report to the court showing total damages in the sum of Eighty-five Thousand Six Hundred Seventeen Dollars (\$85,617.00), and the Court ordered the appraisers' fees set at One Hundred Dollars (\$100.00) each.

5. That the plaintiff, State of Indiana, paid the award of the appraisers together with the fees for the services of said appraisers to the clerk of the court on the 19th day of August, 1966, and the defendant subsequently withdrew said court award on the 18th day of November, 1966.

6. That the plaintiff, State of Indiana, filed exceptions to the court-appointed appraisers' report on the 21st day of July, 1966.

7. That the defendant, The First National Bank in Huntington, filed exceptions to the court-appointed appraisers' report on the 22nd day of July, 1966.

8. That it has been shown to the satisfaction of the Court that the Prudential Insurance Company of America, has no interest in the proceeds made available to the defendant by the plaintiff herein.

9. That the total value of the easement and temporary easement for highway right of way taken and the damages to the remaining land of the defendant is One Hundred Five Thousand Four Hundred Twenty-two Dollars and Eleven Cents (\$105,422.11), and that the defendant, The First National Bank in Huntington, should recover from the plaintiff, State of Indiana, total damages in the sum of One Hundred Five Thousand Four Hundred Twenty-two Dollars and Eleven cents (\$105,422.11).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order of appropriation entered herein on the 30th day of June,

3. That by said order the court also appointed three disinterested freeholders of Huntington County to assess the damages and benefits to the defendant caused by the appropriation.

4. That on the 15th day of July, 1966, said court-appointed appraisers returned their report to the court showing total damages in the sum of Eighty-five Thousand Six Hundred Seventeen Dollars (\$85,617.00), and the Court ordered the appraisers' fees set at One Hundred Dollars (\$100.00) each.

5. That the plaintiff, State of Indiana, paid the award of the appraisers together with the fees for the services of said appraisers to the clerk of the court on the 19th day of August, 1966, and the defendant subsequently withdrew said court award on the 18th day of November, 1966.

6. That the plaintiff, State of Indiana, filed exceptions to the court-appointed appraisers' report on the 21st day of July, 1966.

7. That the defendant, The First National Bank in Huntington, filed exceptions to the court-appointed appraisers' report on the 22nd day of July, 1966.

8. That it has been shown to the satisfaction of the Court that the Prudential Insurance Company of America, has no interest in the proceeds made available to the defendant by the plaintiff herein.

9. That the total value of the easement and temporary easement for highway right of way taken and the damages to the remaining land of the defendant is One Hundred Five Thousand Four Hundred Twenty-two Dollars and Eleven Cents (\$105,422.11), and that the defendant, The First National Bank in Huntington, should recover from the plaintiff, State of Indiana, total damages in the sum of One hundred Five Thousand Four Hundred Twenty-two Dollars and Eleven Cents (\$105,422.11).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order of appropriation entered herein on the 30th day of June,

1966, be, and the same is hereby confirmed and the easement and temporary easement for highway right of way over defendant's real estate described in plaintiff's complaint be, and the same is appropriated, said easement and temporary easements for highway right of way being more particularly described as follows:

PROJECT F-888(9) PARCEL 9 LIMITED ACCESS RIGHT OF WAY

SHEET 1 OF 1

A PART OF TRACT 6 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING SOUTH 88 DEGREES 59 MINUTES EAST 2,912.0 FEET (ALONG THE SOUTH LINE OF SAID TRACT 6) AND NORTH 1 DEGREE 01 MINUTE EAST 25.00 FEET (AT RIGHT ANGLES TO SAID SOUTH LINE) FROM A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE NORTHEASTERLY 50.9 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 7,262.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 42 DEGREES 42 MINUTES EAST AND A LENGTH OF 50.9 FEET; THENCE NORTH 25 DEGREES 04 MINUTES EAST 127.1 FEET; THENCE SOUTH 60 DEGREES 28 MINUTES EAST 247.9 FEET; THENCE SOUTHWESTERLY 49.0 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 7,062.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 44 DEGREES 09 MINUTES WEST AND A LENGTH OF 49.0 FEET TO THE NORTHERN BOUNDARY OF COUNTY ROAD 400N; THENCE WESTERLY 270.0 FEET ALONG SAID NORTHERN BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.590 ACRES, MORE OR LESS.



Jimmy D. Hufford
Nov 29, 1965

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A PART OF TRACTS 3, 6, AND 7 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET ALONG THE SOUTH LINE OF SAID TRACT 6; THENCE NORTH 0 DEGREES 38 MINUTES EAST 119.63 FEET; THENCE NORTH 59 DEGREES 32 MINUTES EAST 128.26 FEET; THENCE NORTH 87 DEGREES 02 MINUTES EAST 352.75 FEET; THENCE NORTH 24 DEGREES 32 MINUTES EAST 35.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 72 DEGREES 53 MINUTES EAST 134.7 FEET; THENCE NORTHEASTERLY 456.3 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 7,262.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 47 DEGREES 06 MINUTES EAST AND A LENGTH OF 456.2 FEET; THENCE NORTH 51 DEGREES 06 MINUTES EAST 202.8 FEET; THENCE NORTHEASTERLY 262.5 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 7,257.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 51 DEGREES 32 MINUTES EAST AND A LENGTH OF 262.4 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 1,041.0 FEET; THENCE NORTH 39 DEGREES 53 MINUTES EAST 205.0 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 1,100.0 FEET; THENCE NORTH 52 DEGREES 01 MINUTE EAST 768.9 FEET; THENCE NORTHEASTERLY 370.4 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 1,382.4 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 32 DEGREES 23 MINUTES EAST AND A LENGTH OF 369.3 FEET; THENCE NORTH 24 DEGREES 42 MINUTES EAST 16.2 FEET; THENCE NORTH 21 DEGREES 51 MINUTES EAST 200.2 FEET; THENCE NORTH 24 DEGREES 42 MINUTES EAST 15.8 FEET; THENCE NORTHEASTERLY 327.0 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 633.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 39 DEGREES 30 MINUTES EAST AND A LENGTH OF 323.4 FEET; THENCE NORTH 54 DEGREES 19 MINUTES EAST 38.1 FEET; THENCE NORTH 12 DEGREES 00 MINUTES WEST 26.4 FEET TO THE SOUTHEASTERN BOUNDARY OF COUNTY ROAD 450N; THENCE NORTH 56 DEGREES 07 MINUTES EAST 96.7 FEET ALONG SAID SOUTHEASTERN BOUNDARY TO THE SOUTHWESTERN BOUNDARY OF STATE ROAD 5; THENCE SOUTHEASTERLY 1,381.1 FEET ALONG THE SOUTHWESTERN BOUNDARY OF STATE ROAD 5; THENCE SOUTH 54 DEGREES 53 MINUTES WEST 57.2 FEET; THENCE NORTH 35 DEGREES 08 MINUTES WEST 100.0 FEET; THENCE NORTH 43 DEGREES 39 MINUTES WEST 202.2 FEET; THENCE NORTH 68 DEGREES 10 MINUTES WEST 164.8 FEET; THENCE SOUTHWESTERLY 246.7 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 633.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 66 DEGREES 14 MINUTES WEST AND A LENGTH OF 245.1 FEET; THENCE SOUTH 77 DEGREES 24 MINUTES WEST 26.7 FEET; THENCE SOUTH 79 DEGREES 19 MINUTES WEST 260.5 FEET TO A SOUTHWESTERN LINE OF THE OWNER'S LAND; THENCE NORTHWESTERLY 79.5 FEET ALONG SAID SOUTHWESTERN LINE TO A SOUTHEASTERN LINE OF THE OWNER'S LAND; THENCE SOUTHWESTERLY 203.0 FEET ALONG SAID SOUTHEASTERN LINE; THENCE SOUTHWESTERLY 353.5 FEET ALONG AN ARC TO



Jimmy D. Hufford
Nov. 29, 1965

(2)

THE LEFT AND HAVING A RADIUS OF 1,382.4 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 63 DEGREES 25 MINUTES WEST AND A LENGTH OF 352.5 FEET; THENCE SOUTH 53 DEGREES 45 MINUTES WEST 346.9 FEET; THENCE SOUTH 52 DEGREES 34 MINUTES WEST 580.0 FEET; THENCE SOUTH 44 DEGREES 48 MINUTES WEST 222.0 FEET; THENCE SOUTH 52 DEGREES 34 MINUTES WEST 700.0 FEET; THENCE SOUTH 67 DEGREES 25 MINUTES WEST 206.9 FEET; THENCE SOUTH 52 DEGREES 34 MINUTES WEST 600.0 FEET; THENCE SOUTH 48 DEGREES 51 MINUTES WEST 200.4 FEET; THENCE SOUTH 52 DEGREES 34 MINUTES WEST 41.0 FEET; THENCE SOUTHWESTERLY 911.6 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 7,062.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 48 DEGREES 52 MINUTES WEST AND A LENGTH OF 911.0 FEET; THENCE NORTH 66 DEGREES 20 MINUTES WEST 282.3 FEET TO THE POINT OF BEGINNING AND CONTAINING 37.710 ACRES, MORE OR LESS.



Jimmy D. Hufford
Nov. 29, 1965

(3)

A PART OF TRACT 6 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET (ALONG THE SOUTH LINE OF SAID TRACT 6) AND NORTH 0 DEGREES 38 MINUTES EAST 25.00 FEET FROM A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE NORTH 0 DEGREES 38 MINUTES EAST 128.9 FEET ALONG A WEST LINE OF THE OWNER'S LAND; THENCE NORTH 56 DEGREES 36 MINUTES EAST 110.7 FEET; THENCE EASTERLY 400.3 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 417.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 87 DEGREES 02 MINUTES EAST AND A LENGTH OF 385.1 FEET; THENCE SOUTH 66 DEGREES 20 MINUTES EAST 282.3 FEET; THENCE SOUTHWESTERLY 102.2 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 7,062.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 44 DEGREES 45 MINUTES WEST AND A LENGTH OF 102.2 FEET; THENCE NORTH 60 DEGREES 28 MINUTES WEST 247.9 FEET; THENCE WESTERLY 333.1 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 347.0 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 87 DEGREES 02 MINUTES WEST AND A LENGTH OF 320.4 FEET; THENCE SOUTH 59 DEGREES 32 MINUTES WEST 92.3 FEET; THENCE SOUTH 0 DEGREES 19 MINUTES EAST 83.6 FEET TO THE NORTHERN BOUNDARY OF COUNTY ROAD 400N; THENCE NORTH 88 DEGREES 59 MINUTES WEST 50.3 FEET ALONG SAID NORTHERN BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 1.374 ACRES, MORE OR LESS.



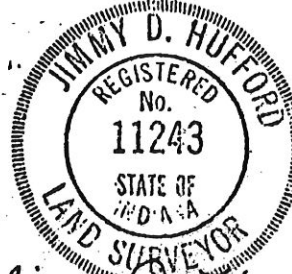
Jimmy D. Hufford
Nov 29, 1965

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PROJECT F-8138(9)

~~PARCEL 9 PERMANENT RIGHT OF WAY-1~~

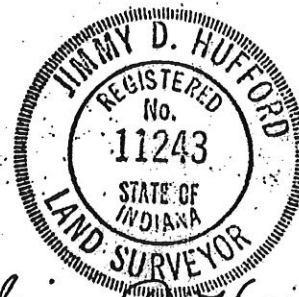
A PART OF TRACT 7 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET ALONG THE SOUTH LINE OF TRACT 6 IN SAID RESERVE OF TEN SECTIONS; THENCE NORTH 0 DEGREES 38 MINUTES EAST 119.63 FEET; THENCE NORTH 59 DEGREES 32 MINUTES EAST 128.26 FEET; THENCE NORTH 87 DEGREES 02 MINUTES EAST 352.75 FEET; THENCE SOUTH 65 DEGREES 28 MINUTES EAST 176.08 FEET; THENCE NORTH 48 DEGREES 33 MINUTES 02 SECONDS EAST 1,003.20 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 4,117.96 FEET; THENCE NORTH 37 DEGREES 26 MINUTES WEST 481.96 FEET TO THE INTERSECTION OF THE SOUTHEASTERN BOUNDARY OF COUNTY ROAD 450N AND THE SOUTHWESTERN BOUNDARY OF STATE ROAD 5; THENCE SOUTHEASTERLY 1,381.1 FEET ALONG THE SOUTHWESTERN BOUNDARY OF STATE ROAD 5, TO THE POINT OF BEGINNING OF THIS DESCRIPTION: THENCE SOUTHEASTERLY 168.0 FEET ALONG THE SOUTHWESTERN BOUNDARY OF S.R. 5; THENCE SOUTH 54 DEGREES 22 MINUTES 19 SECONDS WEST 59.07 FEET; THENCE NORTH 35 DEGREES 07 MINUTES 30 SECONDS WEST 168.53 FEET; THENCE NORTH 54 DEGREES 52 MINUTES 33 SECONDS EAST 57.19 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.225 ACRES, MORE OR LESS. ✓



Jimmy D. Hufford
May 23, 1966

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(3) X

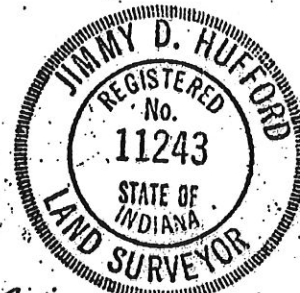
THE FOLLOWING DESCRIBED RIGHT OF WAY IS TEMPORARY RIGHT OF WAY FOR THE PURPOSE OF DISPOSING PEAT, MUCK, MARL, OR ANY OTHER SIMILAR UNSTABLE MATERIAL EXCAVATED FROM PEAT DEPOSITS WITHIN THE PERMANENT RIGHT OF WAY, TOGETHER WITH ANY OVERLAYING MATERIAL WHICH IS NOT USED IN EMBANKMENT CONSTRUCTION. SAID TEMPORARY RIGHT OF WAY WILL REVERT TO THE OWNER ON JANUARY 10, 1968: A PART OF TRACTS 6 AND 7 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET ALONG THE SOUTH LINE OF SAID TRACT 6; THENCE NORTH 0 DEGREES 38 MINUTES EAST 119.63 FEET; THENCE NORTH 59 DEGREES 32 MINUTES EAST 128.26 FEET; THENCE NORTH 87 DEGREES 02 MINUTES EAST 352.75 FEET; THENCE SOUTH 65 DEGREES 28 MINUTES EAST 176.08 FEET; THENCE NORTH 48 DEGREES 33 MINUTES 02 SECONDS EAST 1,003.20 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 1,040.98 FEET; THENCE NORTH 37 DEGREES 26 MINUTES WEST 95.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 37 DEGREES 26 MINUTES WEST 195.0 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 700.0 FEET; THENCE SOUTH 37 DEGREES 26 MINUTES EAST 150.0 FEET; THENCE SOUTH 52 DEGREES 34 MINUTES WEST 500.0 FEET; THENCE SOUTH 39 DEGREES 53 MINUTES WEST 205.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.514 ACRES, MORE OR LESS.



Jimmy D. Hufford
Nov. 29, 1965

6

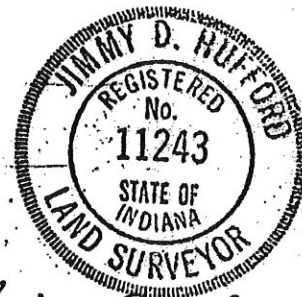
THE FOLLOWING DESCRIBED RIGHT OF WAY IS TEMPORARY RIGHT OF WAY FOR THE PURPOSE OF DISPOSING PEAT, MUCK, MARL, OR ANY OTHER SIMILAR UNSTABLE MATERIAL EXCAVATED FROM PEAT DEPOSITS WITHIN THE PERMANENT RIGHT OF WAY, TOGETHER WITH ANY OVERLAYING MATERIAL WHICH IS NOT USED IN EMBANKMENT CONSTRUCTION. SAID TEMPORARY RIGHT OF WAY WILL REVERT TO THE OWNER ON JANUARY 10, 1968: A PART OF TRACT 7 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET ALONG THE SOUTH LINE OF TRACT 6 IN SAID RESERVE OF TEN SECTIONS; THENCE NORTH 0 DEGREES 38 MINUTES EAST 119.63 FEET; THENCE NORTH 59 DEGREES 32 MINUTES EAST 128.26 FEET; THENCE NORTH 87 DEGREES 02 MINUTES EAST 352.75 FEET; THENCE SOUTH 65 DEGREES 28 MINUTES EAST 176.08 FEET; THENCE NORTH 48 DEGREES 33 MINUTES 02 SECONDS EAST 1,003.20 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 1,740.98 FEET; THENCE SOUTH 37 DEGREES 26 MINUTES EAST 140.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 37 DEGREES 26 MINUTES EAST 150.0 FEET; THENCE SOUTH 52 DEGREES 34 MINUTES WEST 700.0 FEET; THENCE NORTH 37 DEGREES 26 MINUTES WEST 150.0 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 700.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.410 ACRES, MORE OR LESS. ✓



Jimmy D. Hufford
Nov. 29, 1965

(7)

THE FOLLOWING DESCRIBED RIGHT OF WAY IS TEMPORARY RIGHT OF WAY FOR THE PURPOSE OF DISPOSING PEAT, MUCK, MARL, OR ANY OTHER SIMILAR UNSTABLE MATERIAL EXCAVATED FROM PEAT DEPOSITS WITHIN THE PERMANENT RIGHT OF WAY, TOGETHER WITH ANY OVERLAYING MATERIAL WHICH IS NOT USED IN EMBANKMENT CONSTRUCTION. SAID TEMPORARY RIGHT OF WAY WILL REVERT TO THE OWNER ON JANUARY 10, 1968: A PART OF TRACT 7 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET ALONG THE SOUTH LINE OF TRACT 6 IN SAID RESERVE OF TEN SECTIONS; THENCE NORTH 0 DEGREES 38 MINUTES EAST 119.63 FEET; THENCE NORTH 59 DEGREES 32 MINUTES EAST 128.26 FEET; THENCE NORTH 87 DEGREES 02 MINUTES EAST 352.75 FEET; THENCE SOUTH 65 DEGREES 28 MINUTES EAST 176.08 FEET; THENCE NORTH 48 DEGREES 33 MINUTES 02 SECONDS EAST 1,003.20 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 2,340.98 FEET; THENCE NORTH 37 DEGREES 26 MINUTES WEST 140.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 37 DEGREES 26 MINUTES WEST 410.0 FEET; THENCE NORTH 53 DEGREES 35 MINUTES EAST 682.3 FEET; THENCE SOUTH 49 DEGREES 57 MINUTES EAST 400.0 FEET; THENCE SOUTH 52 DEGREES 01 MINUTE WEST 768.9 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.664 ACRES, MORE OR LESS.



Jimmy D. Rufford
Nov. 29, 1965

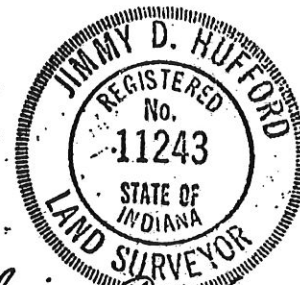
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PROJECT F-888(9)

PARCEL 9 TEMPORARY RIGHT OF WAY -3

SHEET 1 OF 1

THE FOLLOWING DESCRIBED RIGHT OF WAY IS TEMPORARY RIGHT OF WAY FOR DRAIN TILE CONSTRUCTION AND WILL REVERT TO THE OWNER ON JANUARY 10, 1968: A PART OF TRACT 7 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET ALONG THE SOUTH LINE OF TRACT 6 IN SAID RESERVE OF TEN SECTIONS; THENCE NORTH 0 DEGREES 38 MINUTES EAST 119.63 FEET; THENCE NORTH 59 DEGREES 32 MINUTES EAST 128.26 FEET; THENCE NORTH 87 DEGREES 02 MINUTES EAST 352.75 FEET; THENCE SOUTH 65 DEGREES 28 MINUTES EAST 176.08 FEET; THENCE NORTH 48 DEGREES 33 MINUTES 02 SECONDS EAST 1,003.20 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 2,540.98 FEET; THENCE SOUTH 37 DEGREES 26 MINUTES EAST 110.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 53 DEGREES 45 MINUTES EAST 346.9 FEET; THENCE SOUTH 33 DEGREES 54 MINUTES EAST 10.0 FEET; THENCE SOUTH 53 DEGREES 45 MINUTES WEST 346.3 FEET; THENCE NORTH 37 DEGREES 26 MINUTES WEST 10.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.080 ACRES, MORE OR LESS. ✓



Jimmy D. Hufford
Nov. 29, 1965

(9)

PROJECT F-888(9)

PARCEL 9 TEMPORARY RIGHT OF WAY -4

SHEET 1 OF 1

THE FOLLOWING DESCRIBED RIGHT OF WAY IS TEMPORARY RIGHT OF WAY FOR DRAIN TILE CONSTRUCTION AND WILL REVERT TO THE OWNER ON JANUARY 10, 1968: A PART OF TRACT 7 IN THE RESERVE OF TEN SECTIONS GRANTED TO JOHN B. RICHARDVILLE, AT THE FORKS OF THE WABASH RIVER, IN TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A STONE MARKED "13" AND RECORDED IN SURVEYOR'S RECORD "C", PAGE 316, IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTH 88 DEGREES 59 MINUTES EAST 2,550.70 FEET ALONG THE SOUTH LINE OF TRACT 6 IN SAID RESERVE OF TEN SECTIONS; THENCE NORTH 0 DEGREES 38 MINUTES EAST 119.63 FEET; THENCE NORTH 59 DEGREES 32 MINUTES EAST 128.26 FEET; THENCE NORTH 87 DEGREES 02 MINUTES EAST 352.75 FEET; THENCE SOUTH 65 DEGREES 28 MINUTES EAST 176.08 FEET; THENCE NORTH 48 DEGREES 33 MINUTES 02 SECONDS EAST 1,003.20 FEET; THENCE NORTH 52 DEGREES 34 MINUTES EAST 1,740.98 FEET; THENCE SOUTH 37 DEGREES 26 MINUTES EAST 140.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 44 DEGREES 48 MINUTES EAST 222.0 FEET; THENCE SOUTH 37 DEGREES 26 MINUTES EAST 10.0 FEET; THENCE SOUTH 44 DEGREES 48 MINUTES WEST 222.0 FEET; THENCE NORTH 37 DEGREES 26 MINUTES WEST 10.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.051 ACRES, MORE OR LESS.



Jimmy D. Hufford
Nov 29, 1965

10

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant, The First National Bank in Huntington, have and recover from the State of Indiana as final and total damages the sum of One Hundred Five Thousand Four Hundred Twenty-two Dollars and Eleven Cents (\$105,422.11), and that the Clerk of the Court pay said amount to the defendant, less the sum of Eighty-five Thousand Seven Hundred Ninety-three Dollars and Seventy-five Cents (\$85,793.75), which said amount has already been paid the defendant herein when it withdrew the court-appointed appraisers award of Eighty-five Thousand Seven Hundred Ninety-three Dollars and Seventy-five Cents (\$85,793.75), so Nineteen Thousand Eight Hundred Five Dollars and Eleven Cents (\$19,805.11) more is owing the defendant in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant, The Prudential Insurance Company of America take nothing by this judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, State of Indiana, pay to the Clerk of the Court the sum of Nineteen Thousand Eight Hundred Five Dollars and Eleven Cents (\$19,805.11), which amount when added to the amount of the court-appointed appraisers' award of Eighty-five Thousand Six Hundred Seventeen Dollars (\$85,617.00) previously paid in, equals the amount of this judgment.

Dated: _____

Judge of the Huntington Circuit
Court

Approved: _____

Attorney for defendant The First National Bank in Huntington

Deputy Attorney General

Attorney for the Plaintiff, State of Indiana

PARCEL NO. 9

OWNER: THE FIRST NATIONAL BANK

DRAWN BY: C.F. LANGE 9/14/65

PROJECT NO. F.888(9)

DEED RECORDED 194 PAGE 101-102 DATED 12-31-59

CHECKED BY: 1423.5

ROAD NO. U.S. 24

COUNTY: HUNTINGTON

TRACT: PART OF 3.4 & 7

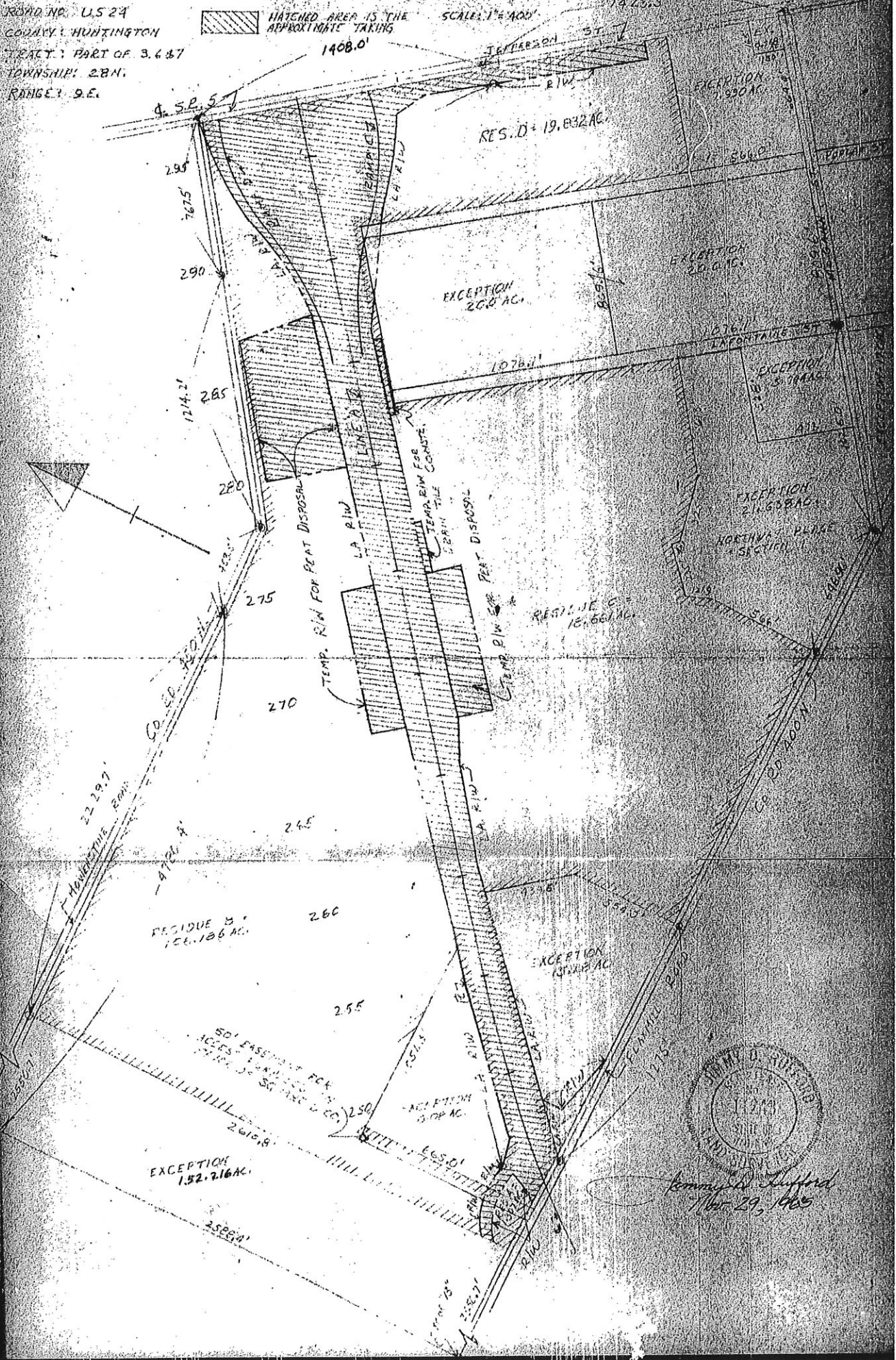
TOWNSHIP: 28 N.

RANGE: 9 E.



HATCHED AREA IS THE APPROXIMATE TAKING

SCALE: 1"=400'



Form I.G.-120-BP
Purchase Grant—
LIMITED ACCESS—A
Revised 5-61



INDIANA STATE HIGHWAY COMMISSION
STATE OFFICE BUILDING
INDIANAPOLIS 9, INDIANA
RIGHT OF WAY GRANT

FUND _____ F
PROJECT No. 888
SECTION (9)

PARCEL No. 63

Sheet 1 of 2 Sheets

This indenture witnesseth that the undersigned, as grantors and sole owners of land in HUNTINGTON County, Indiana, more definitely described below, through, over and upon which will pass a public highway which it is proposed by the State of Indiana to improve, hereby grant, bargain, warrant and convey to the State of Indiana, for Right of Way, lands as described below and located by surveys and shown on plans on file in the office of the Indiana State Highway Commission. The description from said plans of said right of way hereby granted is as follows:

PLANS ON SR. NO. 24 SEC. _____, F. PROJ. No. 888 SEC. (9) DATED 1963

TRACT 6 T. 28N. R. 9E. PERM. R.W.O. 489 ACRES, MORE OR LESS, ACQUIRED

Descriptions are of parcels of land lying between the plan centerline and the plan right of way line on the above designated project.

Measured distances along plan centerline are indicated by Station Number and plus.

Widths of parcels are indicated in feet, measured at a right angle from plan centerline at designated Station Number and plus; however, when Station Number and plus is followed by the letters P.L.; F.L.; F.D.; L.L. or C/L.S. (indicating property line, Fence Line, Field Division, Lot Line and Centerline of Stream respectively) or other identifying notations, it shall mean that the boundary line follows said identified line from plan centerline to plan right of way line.

Above explanation is applicable only if centerline description is used.

PARCEL 63 LIMITED ACCESS RIGHT OF WAY:

A PART OF TRACT 6 IN THE RESERVE OF 10 SECTIONS, TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERN BOUNDARY OF THE FLAXMILL ROAD WHICH POINT IS 3,194.6 FEET SOUTH 88 DEGREES 59 MINUTES EAST AND 40 FEET NORTH OF A STONE 13 AS SHOWN IN SURVEYOR'S BOOK "H", PAGE 272, HUNTINGTON COUNTY, INDIANA; THENCE NORTHEASTERLY 28.7 FEET ALONG THE NORTHWESTERN LINE OF THE OWNER'S LAND; THENCE SOUTH 60 DEGREES 28 MINUTES EAST 39.3 FEET; THENCE SOUTH 75 DEGREES 31 MINUTES 31 FEET TO THE NORTHERN BOUNDARY OF FLAXMILL ROAD; THENCE WESTERLY 46.8 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.014 ACRES, MORE OR LESS.

ALSO:

PARCEL 63 LIMITED ACCESS RIGHT OF WAY-1:

A PART OF TRACT 6 IN THE RESERVE OF 10 SECTIONS, TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING SOUTH 88 DEGREES 59 MINUTES EAST 3,356.4 FEET (ALONG THE SOUTH LINE OF SAID TRACT) AND 104.7 FEET NORTHERLY (AT RIGHT ANGLES TO SAID TRACT LINE) FROM A STONE MARKED "13" AS SHOWN IN SURVEYOR'S BOOK "H", PAGE 272, HUNTINGTON COUNTY, INDIANA; THENCE NORTH 66 DEGREES 20 MINUTES WEST 77.5 FEET TO THE NORTHWESTERN PROPERTY LINE OF THE OWNER'S LAND; THENCE NORTHEASTERLY 113.9 FEET ALONG SAID PROPERTY LINE; THENCE SOUTH 5 DEGREES 22 MINUTES WEST 111.3 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.094 ACRES, MORE OR LESS.

ALSO:

PARCEL 63 PERMANENT RIGHT OF WAY:

THE LIMITED ACCESS PROVISIONS DO NOT APPLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY:

A PART OF TRACT 6 IN THE RESERVE OF 10 SECTIONS, TOWNSHIP 28 NORTH, RANGE 9 EAST, HUNTINGTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING SOUTH 88 DEGREES 59 MINUTES EAST 3,240.5 FEET (ALONG THE SOUTH LINE OF SAID TRACT) AND 40 FEET NORTHERLY (AT RIGHT ANGLES TO SAID TRACT LINE) FROM A STONE MARKED "13" AS SHOWN IN SURVEYOR'S BOOK "H", PAGE 272, HUNTINGTON COUNTY, INDIANA; THENCE NORTH 75 DEGREES 31 MINUTES EAST 7.6 FEET; THENCE NORTH 60 DEGREES 28 MINUTES WEST 39.3 FEET TO THE NORTHWESTERN LINE OF THE OWNER'S LAND; THENCE NORTHEASTERLY 102.2 FEET ALONG SAID LINE; THENCE SOUTH 66 DEGREES 20 MINUTES EAST 77.5 FEET; THENCE SOUTHEASTERLY 287.4 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 914.9 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 76 DEGREES 18 MINUTES EAST AND A LENGTH OF 286.3 FEET; THENCE SOUTH 84 DEGREES 01 MINUTE EAST 22.2 FEET TO THE NORTHERN BOUNDARY OF FLAXMILL ROAD; THENCE NORTH 88 DEGREES 59 MINUTES WEST 416.4 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.331 ACRES, MORE OR LESS.

G. I. R. 11-23-64

MEH

Model Engineering & Manufacturing Corp.

By George E. Manis
George E. Manis President

3-9-65

E. G. Landis
E. G. Landis Secretary

North America Corporation

By Richard B. DeMars
Richard B. DeMars - Vice President

By W. A. Brennan, Jr.
W. A. Brennan, Jr. Treasurer

C.W.B.
11-10-64

MAR 1 1965



PARCEL NO. 63 PROJECT NO. F-888(9) SHEET 2 of 2 SHEETS

It is hereby agreed as part of the total consideration as shown below that possession of the buildings and the land constituting the homesite on the real estate above described will be surrendered within 30 days from the date first payment is received, and \$ NONE will be held in Escrow until said possession is given. Possession of the balance of the real estate will be given upon receipt of the first payment in the amount indicated herein.

The above and foregoing grant is made in consideration of payment of the sum of Two Thousand One Hundred Sixty Five Dollars (\$2,165⁰⁰), which sum shall be paid or held in escrow as specified to the order of

North America Corporation
801 Union Federal Building, 45 North Penna St. Indianapolis, Ind.
 (Give address of Payee)

The right of way hereby conveyed may be used, subject to the discretion of the grantee, for the establishment, construction, control and maintenance of a limited access facility as defined in the act of 1945 (Acts 1945, ch. 245, page 1113) and is subject to such regulations as therein provided and to such subsequent regulations or use as may be made, adopted or provided under or by law governing such facilities or highways in general.

It is further understood and agreed that this conveyance transfers only the right to make, construct and maintain such highway on said lands and to use any material lying within the above described limits suitable for use in constructing and maintaining said highway and does not convey any rights to any minerals or other substances underneath the surface, except as it may be used for the construction or maintenance of such improved highways.

Any and all timber, shrubbery, fences, buildings and all other physical improvements on the above granted right of way, not specifically reserved by special provision stated above, shall become the property of the State of Indiana.

When, by special provisions as stated above, any trees and/or shrubs are to be left standing on said right of way, it is mutually agreed and understood by grantor and grantee, that such special provision is only for such period as the excepted trees and/or shrubs shall not constitute an obstruction to future construction or hazard to power lines or traffic as shall be determined from time to time by the Indiana State Highway Commission through its authorized representatives.

It is understood and agreed that all provisions of this grant are stated above and that no verbal agreements or promises are binding.

It is also mutually agreed by grantor and grantee that this is a permanent easement unless otherwise specified for Highway purposes and shall be binding until specifically vacated by resolution by the Indiana State Highway Commission.

The undersigned GRANTORS

being duly sworn, says that he, she (is) or they (are) the sole owner(s) of the above described property, and said grantors further represent that there are no encumbrances, leases, liens or options of any kind or character on said lands as conveyed, except as shown below, and that they make this representation for the purpose of inducing the Indiana State Highway Commission to pay them the amount herein stipulated.

Grantor further agrees to assume for the property described above all taxes payable for current and prior years and any taxes now a lien on said property.

Mortgagee: EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

This grant is to be and become effective and binding from and after its approval by the Indiana State Highway Commission.

Land and improvements \$2,065⁰⁰; Damages \$100⁰⁰; Total consideration \$2,165⁰⁰

Model Engineering & Manufacturing Corp.

By George E. Manis
 George E. Manis, President

(Grantor)

North America Corporation

By Richard B. DeMars
 Richard B. DeMars, Vice Pres

(Grantor)

By E. Landis
 E. Landis, Secretary

(Grantor)

By John C. Geupel
 John C. Geupel, Secretary

(Grantor)

(Grantor)

(Grantor)

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(Grantor)

(Grantor)

(Grantor)

Dated OCT 26 1964

This instrument prepared and checked with project plans for Division of Right of Way.

BY C.W. West 8-21-64

DESCRIPTION MAR 12 1966

BY J.L. Maynard

AMOUNT APPROVED 3-29-65

BY Charles D. Shurtz

PAID BY WARRANT NO. 17041730

DATED 4-5-65

THE ABOVE GRANT IS HEREBY ACCEPTED.

STATE OF INDIANA

BY John C. Geupel Title

Indiana State Highway Commission

DATE March 31 1965

State of Indiana, County of Marietta ss: BOOK 204 PAGE 57
Personally appeared before me Richard B. DeMars
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 26th day of October, 1964
Witness my hand and official seal.
My Commission expires July 2 1966 Alice L. Tobin Notary Public.

State of Indiana, County of Marietta ss:
Personally appeared before me John C. Genzel
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 26th day of October, 1964
Witness my hand and official seal.
My Commission expires July 2 1966 Alice L. Tobin Notary Public.

State of Indiana, County of Huntington ss:
Personally appeared before me George E. Main, President of E. L. Smith & Son
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this 9th day of March, 1965
Witness my hand and official seal.
My Commission expires January 6, 1968 Stonley H. Swathway Judge, Huntington County Court.

State of Indiana, County of _____ ss:
Personally appeared before me _____
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19____.
Witness my hand and official seal.
My Commission expires _____ Notary Public.

State of Indiana, County of _____ ss:
Personally appeared before me _____
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19____.
Witness my hand and official seal.
My Commission expires _____ Notary Public.

State of Indiana, County of _____ ss:
Personally appeared before me _____
and acknowledged the execution of the above agreement, and being duly sworn, upon their oath stated the facts therein are true, this _____ day of _____, 19____.
Witness my hand and official seal.
My Commission expires _____ Notary Public.

The undersigned owner of a mortgage and/or lien on the land of which the right of way described in the attached grant, is conveyed, hereby releases from said mortgage and/or lien said granted right of way, and do hereby consent to the payment of the consideration therefor as directed in said grant, this 30th day of Nov, 1964
(Seal) _____ (Seal) _____
State of New York } ss:
County of New York }
Walter M. Harvey, Jr. Vice Pres. & Helen B. Taylor Asst Sec

Personally appeared before me _____ above named and duly acknowledged the execution of the above release the 30 day of November, 1964
Witness my hand and official seal.
My Commission expires _____ John A. Beck Notary Public.

PARCEL NO. 63
PROJECT NO. F-888 (9)
ROAD NO. 24

COUNTY : HUNTINGTON

TRACT # 6

TOWNSHIP: 28-N

RANGE : 3 - E

OWNER: NORTH AMERICA CORP. DRAWN BY: L.F. FAVET
DEED RECORD 200 PAGE 202. DATED 5/21/63 CHECKED BY: J.W. RICE

HATCHED AREA IS THE
APPROXIMATE TAKING

SCALE: 1" = 200'

